

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JAMES BROWN	:	CIVIL ACTION NO. 1:CV-13-975
Plaintiff	:	(Judge Kane)
	:	(Magistrate Judge Blewitt)
V.	:	
	:	
WARDEN DANIEL KEEN, et al.	:	
Defendants	:	

**O R D E R**

Before the Court in the captioned action is an August 23, 2013, Report and Recommendation of the Magistrate Judge. No timely objections have been filed.

Accordingly, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the Report and Recommendation of Magistrate Judge Blewitt.
- 2) Plaintiff's claim against Defendants Thomas, Keller, Ziobrowski, and the Franklin County Board of Commissioners is **DISMISSED WITH PREJUDICE**. The claims against Defendants Keen and Franklin County will continue.
- 3) The case is **REMANDED** to Magistrate Judge Blewitt for further proceedings.

s/ Yvette Kane  
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YVETTE KANE, Judge  
United States District Court  
Middle District of Pennsylvania

Dated: September 17, 2013